

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DEREK L. ANDERSON, SR.,

Plaintiff,

v.

ORDER
11-CV-784A

MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration,

Defendant.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 11, 2012, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion for judgment on the pleadings be denied, plaintiff's motion for judgment on the pleadings be granted, that the decision of the Commissioner be reversed and the matter be remanded for further administrative proceedings.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion for judgment on the pleadings is denied, plaintiff's motion for judgment on the pleadings is granted, the decision of the Commissioner is reversed and the matter is remanded for further administrative proceedings.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: July 19, 2012